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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,435	01/16/2002	Dipankar Ray	27943-00429	1962

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EXAMINER

LIN, WEN TAI

ART UNIT PAPER NUMBER

2154

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/051,435	RAY ET AL.	
	Examiner	Art Unit	
	Wen-Tai Lin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 27-42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-19 and 22-26 is/are rejected.
- 7) ☒ Claim(s) 6-7 and 20-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/7/03; 11/24/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-42 are presented for examination.
2. Claims 27-42 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claims, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 7/27/2005.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-26 are rejected under the second paragraph of 35 U.S.C. 112 because the following terms appear to lack antecedent basis:

(i) Claim 1: "said gateway access network"; "the target access network"; and
"the source access network".

- (ii) Claim 12: "the additional source network".
- (iii) Claim 13: "said additional gateway access network"
- (iv) Claim 15: "the target access network"; and
"the source access network".
- (v) Claim 26: "the additional source network".

4. Claims 1-26 are objected to because of the following informalities:

- (i) As to claims 1 and 15, it is not clearly understood what is meant by "gateway one of a plurality of access networks", "target one of a plurality of access networks", and "source one of a plurality of access networks". That is, the relationship between the words "gateway", "target" or "source" and the "plurality of access networks" is not clearly defined in the claim language.

Clarification/Correction in response to this office action is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Julka et al. [U.S. PGPub 20020193110].

7. As to claims 1 and 15, Julka a telecommunications system for improved session management within a data cellular network, comprising:

a gateway access network among a plurality of access networks [e.g., 22, 32, Fig.1; i.e., a SC residing (or implemented) in one of the ANC in the same subnet is a gateway access network], each of the plurality of access networks being capable of being in wireless communication with a plurality of access terminals to provide data connectivity between a packet switched data network and the plurality of access terminals during respective data sessions associated with the plurality of access terminals [paragraphs 5-6; claim 1 on pages 7-8], said gateway serving a first subnet of the plurality of access networks and further comprising:

means for receiving a session information request message from a target [e.g., ANC1, Fig.9] one of the plurality of access networks within the first subnet, the session information request message being sent to complete a dormant handoff of an ongoing one of the data sessions to the target access network [e.g., paragraphs 9-13 and 29-35];

means for determining a second subnet that contains a source [e.g., ANC2, Fig.9] one of the plurality of access networks associated with the ongoing data session [paragraphs 106-112];
and

means for routing session information associated with the ongoing data session from the source access network to the target access network [e.g., paragraphs 21 and Fig.9; claims 7-8].

8. Claims 1-3, 8-12, 15-17 and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Eyuoglu et al.[U.S. PGPub 20020196749].

9. As to claim 1, Eyuoglu a telecommunications system for improved session management within a data cellular network, comprising:

a gateway residing in one of a plurality of access networks [e.g., the mobility and session managers (52, 53, Fig.2) residing in one of the RNCs within the same subnet], each of the plurality of access networks being capable of being in wireless communication with a plurality of access terminals to provide data connectivity between a packet switched data network and the plurality of access terminals during respective data sessions associated with the plurality of access terminals [e.g., paragraphs 5, 12, 15-16 and 41-42], said gateway serving a first subnet of the plurality of access networks and further comprising:

means for receiving a session information request message from a target access network among the plurality of access networks within the first subnet, the session information request message being sent to complete a dormant handoff of an ongoing one of the data sessions to the target access network;

means for determining a second subnet that contains a source access network among the plurality of access networks associated with the ongoing data session; and

means for routing session information associated with the ongoing data session from the source access network to the target access network [e.g., paragraphs 10-12, 16 and 57; note that it is inherent that these means must be provided because the session manager is responsible for session information transfer].

10. As to claim 2, Eyuoglu further teaches that said gateway access network further comprises: means for receiving an additional session information request message including at least a previous Unicast Access Terminal Identifier assigned by an additional source access network within the first subnet to an additional ongoing data session [e.g., paragraphs 10 and 16-17; note that in accordance with IS standard the target access network receives a previous UATI from the access terminal which is used for identifying the source access network; further, each session manager is able to handle more than one session information requests].

11. As to claim 3, Eyuoglu further teaches that that said gateway access network further comprises:

a list of currently assigned Unicast Access Terminal Identifiers within the first subnet, each of the Unicast Access Terminal Identifiers including a field identifying an associated one of the plurality of access terminals within the first subnet that assigned the respective one of the Unicast Access Terminal Identifiers; and means for matching the received previous Unicast Access Terminal Identifier with one of the currently assigned Unicast Access Terminal Identifiers within the list to determine the additional source access network [e.g., paragraphs 36 and 51].

12. As to claims 8-12, 15-17 and 22-26, since the features of these claims can also be found in claims 1-3, they are rejected for the same reasons set forth in the rejection of claims 1-3 above.

13. Claims 1-5, 8-13, 15-19 and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Abrol et al.[U.S. PGPub 20020068570].

14. As to claim 1, Abrol a telecommunications system for improved session management within a data cellular network, comprising:

a gateway [e.g., 14, 16, Figs.3-4] one of a plurality of access networks [e.g., 6-10, Figs. 3-4], each of the plurality of access networks being capable of being in wireless communication with a plurality of access terminals to provide data connectivity between a packet switched data network and the plurality of access terminals during respective data sessions associated with the plurality of access terminals [e.g., paragraphs 38-41], said gateway serving a first subnet of the plurality of access networks and further comprising:

means for receiving a session information request message from a target [e.g., 8, Figs.3-4] one of the plurality of access networks within the first subnet, the session information request message being sent to complete a dormant handoff of an ongoing one of the data sessions to the target access network [paragraph 11];

means for determining a second subnet that contains a source one of the plurality of access networks associated with the ongoing data session [e.g., paragraph 42; i.e., by detecting a different subnet mask]; and

means for routing session information associated with the ongoing data session from the source access network to the target access network [e.g., paragraph 12].

15. As to claim 2, Abrol further teaches that said gateway access network further comprises:

means for receiving an additional session information request message including at least a previous Unicast Access Terminal Identifier assigned by an additional source access network within the first subnet to an additional ongoing data session [e.g., paragraphs 41-42; note that in accordance with IS standard the target access network receives a previous UATI from the access terminal which is used for identifying the source access network; further, each session manager is able to handle more than one session information requests].

16. As to claim 3, Abrol further teaches that that said gateway access network further comprises:

a list of currently assigned Unicast Access Terminal Identifiers within the first subnet, each of the Unicast Access Terminal Identifiers including a field identifying an associated one of the plurality of access terminals within the first subnet that assigned the respective one of the Unicast Access Terminal Identifiers; and means for matching the received previous Unicast Access Terminal Identifier with one of the currently assigned Unicast Access Terminal Identifiers within the list to determine the additional source access network [e.g., paragraph 41]

17. As to claim 4, Abrol further teaches that said gateway access network further comprises:

means for querying each of the plurality of access networks within the first subnet with the previous Unicast Access Terminal Identifier to determine the additional source access network [paragraph 41; i.e., querying other HDR RANs connected to the same network for the UATI].

18. As to claim 5, Abrol further teaches that the session information request message includes location data associated with the source access network, and wherein said means for determining further comprises: means for identifying an additional gateway access network within the second subnet based on the location data [e.g., paragraphs 56, 61 and 66].

19. As to claims 8-13, 15-19 and 22-26, since the features of these claims can also be found in claims 1-5, they are rejected for the same reasons set forth in the rejection of claims 1-5 above.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abrol et al.(hereafter "Abrol") [U.S. PGPub 20020068570], as applied to claims 1-5, 8-13, 15-19 and 22-26 above.

22. As to claim 14, Abrol does not specifically teach said additional gateway access network within the second subnet and said gateway access network within the first subnet communicate using the IPsec protocol.

However, Abrol teaches that the PDSNs are connected to the IP network. It is obvious that these PDSNs (and likewise their associated HDR or 1x networks) can communicate via Internet protocols such as TCP/IP protocol or optionally communicating with IPsec protocol for securing the transferred data.

23. Claims 6-7 and 20-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Forslow [U.S. PGPub 20020069278].

25. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially

teaching all or part of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:


(571) 273-8300 for official communications; and

(571) 273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

November 17, 2005



11/17/05